

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

STEFAN WOODSON,

Plaintiff,

v.

CITY OF RICHMOND, VIRGINIA, et al.,

Defendants.

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Case No.: 3:13cv134

**C.T. WOODY, JR., SHERIFF'S CROSS-CLAIM  
AGAINST CODEFENDANT CITY OF RICHMOND, VIRGINIA**

COMES NOW the Defendant and Cross-Claim Plaintiff, C. T. Woody, Jr., ("Sheriff Woody"), by counsel, for his Cross-Claim against the City of Richmond, Virginia (the "City") pursuant to Rule 13 of the Federal Rules of Civil Procedure, and states as follows:

1. Plaintiff Stefan Woodson ("Woodson") filed the underlying action against Sheriff Woody, the Sheriff of the City of Richmond and employees of the Richmond Sheriff's Office working at the Richmond City Jail ("RCJ"), the City of Richmond, and against CCS, arising from defendants' alleged negligence in causing Woodson's injuries and damages while incarcerated.

2. Sheriff Woody has denied any liability to Woodson and has denied any negligence or any other improper conduct. Sheriff Woody's Answer and Affirmative Defenses are incorporated herein by this reference.

3. Defendant and Cross-Claim Defendant, the City, is and at all relevant times hereto was a city within the Commonwealth of Virginia.

**COUNT I**  
**NEGLIGENCE – CITY OF RICHMOND**

4. The allegations contained in Paragraphs 1 through 3 of this Cross-Claim are incorporated herein by this reference as if fully set forth herein.

5. The design, construction, and structural maintenance of the Richmond City Jail, including but not limited to the ventilation and cooling systems, is and all times relevant hereto was the responsibility of the City. *See* Va. Code Ann. § 15.2-1638; *Brown v. Mitchell*, 308 F.Supp.2d 682, 698 (E.D.Va. 2004); *May v. Newhart*, 822 F.Supp. 1233, 1235 (E.D.Va. 1993).

6. Woodson claims that the negligent acts of Sheriff Woody and the City, jointly and severally, caused, as a direct and proximate result of such conduct, Woodson to suffer severe and substantial damages.

7. Sheriff Woody has denied any liability to Woodson, has denied any negligence or other and improper conduct and alleges that the City's negligence, if any, was the sole proximate cause of Woodson's damages, if any.

8. Based upon claims made by Woodson against Sheriff Woody, the City negligently breached its duties and obligations to Sheriff Woody as alleged in the Amended Complaint, including but not limited to those duties set forth in Paragraphs 12, 50-58, and 121-126 of the Amended Complaint.

9. Therefore, to the extent that Woodson establishes by competent proof that the City failed to provide Sheriff Woody a jail with adequate ventilation and/or cooling and/or that the Jail was improperly designed, constructed or maintained by the City and these failures proximately caused damages suffered by Woodson and Woodson is therefore awarded damages, the City is lawfully indebted to Sheriff Woody for the amount awarded to Woodson.

WHEREFORE, to the extent that Woodson establishes a valid negligence claim against Sheriff Woody for the conditions of the jail designed, constructed and maintained by the City for Sheriff Woody, and proves that Woodson is entitled to damages as a result thereof, Sheriff Woody requests that this Court award negligence damages in favor of Sheriff Woody against the City and award such other and further relief as is just and appropriate under the circumstances.

**A JURY TRIAL IS DEMANDED**

C.T. WOODY, JR., SHERIFF

By: \_\_\_\_\_/s/\_\_\_\_\_  
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CERTIFICATE OF SERVICE

I hereby certify that on this 12<sup>th</sup> day of April, 2013, I will electronically file the foregoing ***Cross-Claim against Co-Defendant City of Richmond, Virginia*** with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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